

AO 89B (07/16) Subpoena to Produce Documents, Information, or Objects in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Northern District of Mississippi

United States of America)

v.)

Jamarr Smith, et al.)

Case No. 3:21-CR-107-NBB-RP

Defendant)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR
OBJECTS IN A CRIMINAL CASE

To: Google, c/o Corporation Service Company, 109 Executive Drive; Ste. 3, Madison, MS 39110

(Name of person to whom this subpoena is directed)

YOU ARE COMMANDED to produce at the time, date, and place set forth below the following books, papers, documents, data, or other objects:

See Exhibit "A," attached hereto.

Place: Hickman, Goza & Spragins, PLLC
P.O. Box 668 / 1305 Madison Ave., Oxford, MS 38655

Date and Time:
Within 14 days after service of this subpoena

Certain provisions of Fed. R. Crim. P. 17 are attached, including Rule 17(c)(2), relating to your ability to file a motion to quash or modify the subpoena; Rule 17(d) and (e), which govern service of subpoenas; and Rule 17(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

(SEAL)

Date: 05/16/2022

David Crews,
CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing (name of party) Jamarr Smith, who requests this subpoena, are:

Goodloe T. Lewis; P.O. Box 668 / 1305 Madison Avenue, Oxford, MS 38655; glewis@hickmanlaw.com; 662-234-4000.

Notice to those who use this form to request a subpoena

Before requesting and serving a subpoena pursuant to Fed. R. Crim. P. 17(c), the party seeking the subpoena is advised to consult the rules of practice of the court in which the criminal proceeding is pending to determine whether any local rules or orders establish requirements in connection with the issuance of such a subpoena. If no local rules or orders govern practice under Rule 17(c), counsel should ask the assigned judge whether the court regulates practice under Rule 17(c) to 1) require prior judicial approval for the issuance of the subpoena, either on notice or ex parte; 2) specify where the documents must be returned (e.g., to the court clerk, the chambers of the assigned judge, or counsel's office); and 3) require that counsel who receives produced documents provide them to opposing counsel absent a disclosure obligation under Fed. R. Crim. P. 16.

Please note that Rule 17(c) (attached) provides that a subpoena for the production of certain information about a victim may not be issued unless first approved by separate court order.

EXHIBIT "A"

All records indicating when and how Jamarr Smith enabled the "Location History" setting, including:

- a. Subscriber registration records for Jamarr Smith's account:
Google account number: [REDACTED] / phone number: [REDACTED]
[REDACTED];
- b. Audit logs for Jamarr Smith's account, including the "Google Account Change History;"
- c. Any records indicating the specific interface used to enable Location History on Jamarr Smith's account (i.e., whether it was a device-based consent flow versus a browser-based consent flow and the particular application or setup/setting opt-in screen); and
- d. All written documentation describing the supported Location History consent flow(s), if any, in effect on the date on which Location History was enabled on Jamarr Smith's account.

AO 89B (07/16) Subpoena to Produce Documents, Information, or Objects in a Criminal Case (Page 2)

Case No. _____

PROOF OF SERVICEThis subpoena for *(name of individual and title, if any)* Googlewas received by me on *(date)* 5-17-22☒ I served the subpoena by delivering a copy to the named person as follows: Robbie Keyon *(date)* 5-18-22, or☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of:

\$ _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: MAY 23 2022

Server's signature

Charles Lindsay

Printed name and title

Server's address

Additional information regarding attempted service, etc.: _____

CHARLES LINDSAY
P.O. BOX 1656
BRANDON, MS 39043
601-841-6348